

REMARKS

This amendment is responsive to the Official Action mailed January 14, 2005. Previously presented claims 21, 25-27 and 31-32 are pending. Previously presented claims 22-24, 28-30 and 33-40 have been canceled, without prejudice. The number of claims remains within that permitted under the filing fees previously paid. No new matter is presented.

Appended hereto is a marked-up version of the changes made to the specification by the current amendment, captioned on the first sheet thereof “ Version with Markings to Show Changes Made.”

In the Official Action, the title, abstract and disclosure were objected to various matters of informality. The matters to which the examiner refers have been corrected substantially as suggested. Reconsideration and withdrawal of the objections is respectfully requested.

The claims were rejected 35 U.S.C. §112, second paragraph, and 35 U.S.C. §101. Applicant appreciates the detailed remarks of the examiner. Every effort has been made to amend the claims to more particularly and distinctly define the subject matter of the invention, recite statutory subject matter, and better distinguish over the prior art. The claims as amended are definite and statutory. Reconsideration and withdrawal of these rejections are requested.

It appears if claims 21 through 32 were rejected under 35 U.S.C. § 102(e) as anticipated by Walker (US Patent No. 6,108,639). Applicant is unsure of the precise disposition of claim 26.

In the Official Action, it is stated that

...on page 6, lines 36-38, Walker discloses an embodiment allowing buyer to evaluate the inventory, which is the same as inspecting the goods.

More accurately, Walker recites:

In one embodiment, the available inventory can be made available for buyers to evaluate, without revealing any information identifying the seller.

Accordingly, applicant respectfully disagrees with the interpretation in the Official Action of the foregoing passage from Walker. The foregoing passage from Walker merely describes a pawn shop operating on consignment.

Reconsideration is requested. There is no teaching or suggestion in Walker concerning an inspection opportunity at a retail mailbox store as particularly and distinctly defined. In consequence, applicant respectfully requests withdrawal of the stated rejection.

Thus, based on what the prior art objectively teaches or suggests to a person of ordinary skill, or *fails* to teach or suggest, the rejection lacks adequate support.

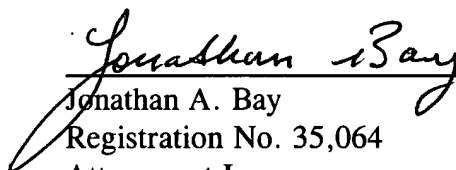
The claims are allowable because the prior art lacks the provisions of the invention as claimed, and fails to disclose or suggest any comparable provisions to that claimed, providing similar utilities or advantages of the invention disclosed and claimed only by applicant.

The provisions whereby these benefits are achieved are particularly and distinctly defined in the claims as amended, and are not found in the prior art, including Walker.

Every effort has been made to particularly and distinctly define the subject matter of the invention. The claims are definite, and are patentable over the prior art of record. The differences between the invention and the prior art are such that the subject matter claimed as a whole would not have been known or obvious to a person of ordinary skill in the art. Reconsideration, and allowance of all the pending claims, are respectfully requested.

Respectfully submitted,

Date: 4-14-05


Jonathan A. Bay
Registration No. 35,064
Attorney at Law
333 Park Central East, Suite 314
Springfield, MO 65806
(417) 873-9100

Docket No. 437-5